

JOHN F. CORCORAN, CLERK
BY: 
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EFREN M. ISANAN,

Petitioner,

v.

GENE M. JOHNSON, DIRECTOR,

Respondent.

Case No. 7:09CV00411

FINAL ORDER

By: Glen E. Conrad
United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ORDERED

that the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** as untimely filed; and this action is stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 30th day of October, 2009.

John Conrad

United States District Judge